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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/478,112	01/04/2000	REED PADI MAW STURTEVANT	11040/002001	1247
23639	7590	03/05/2004	EXAMINER	
BINGHAM, MCCUTCHEN LLP THREE EMBARCADERO, SUITE 1800 SAN FRANCISCO, CA 94111-4067			CHEUNG, MARY DA ZHI WANG	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 03/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/478,112	STURTEVANT ET AL.
	Examiner	Art Unit
	Mary Cheung	3621 My

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 December 2003.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-11,13-21 and 23-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-11,13-21 and 23-27 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. Claims 1-11, 13-21 and 23-27 are pending. Claims 1, 16-21 and 27 have been amended.

Response to Arguments

2. Applicant's arguments with respect to claims 1-11, 13-21 and 23-27 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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5. Claims 1-5, 9-11, 16-18, 21, 23, 25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis, U. S. Patent 6,233,576 in view of Dircks et al., U. S. Patent 6,584,568.

As to claim 1, Lewis teaches a method comprising:

- a) Making at least one digital facility available from a source to clients via an electronic communication medium (Figs. 1-2);
- b) Associating with at least one of clients an access permission that enables the client to access at least one of the digital facilities (column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2);
- c) Associating with at least one of the clients a grant permission that enables the client to give to another client a permission with respect to at least one of the digital facilities (column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2);
- d) Managing relationships between clients via the electronic communication medium with respect to the digital facility (column 8 lines 20-43 and Fig. 1).

Lewis does not specifically teach associating with at least one of the clients a preference information that reflects one or more preferences of the clients, and creating a client profile for at least one of the clients based on the preference information and the permission information associated with the client, and managing relationships between clients via the electronic communication medium with respect to the digital facility based

on the profiles of the clients. However, Dircks teaches associating with at least one of the clients a preference information, and creating a client profile for at least one of the clients based on the preference information and the permission information, and managing relationships between clients via the electronic communication medium with respect to the digital facility based on the profile of the clients (column 3 lines 20-27 and column 7 lines 40 – column 8 line 5 and column 17 lines 10-19; *specifically, the client profile corresponds to the ".sec file" in Dircks' teaching, and the permission information corresponds to the access privileges or security profile in Dircks' teaching*). It would have been obvious to one of ordinary skill in the art at the time of the invention to allow Lewis' teaching to include the features of creating a client profile based on the preference information and the permission information of the client, and managing relationships between clients and the digital facility based on the client profile as taught by Dircks because this would allow the clients to efficiently and securely access the permitted information.

As to claim 2, Lewis teaches the user permission that is granted to another user comprises a perform permission (column 7 lines 36-67).

As to claim 3, Lewis teaches the user permission that is granted to another user comprises a grant permission (column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2).

As to claim 4, Lewis teaches the digital facility comprises data (Figs. 1-2).

As to claim 5, Lewis teaches the digital facility comprises a service (Figs. 1-2).

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As to claim 9, Lewis teaches an electronic communication medium as discussed above. Lewis does not explicitly teach the electronic communication medium comprises the Internet. However, Dircks teaches an electronic communication medium comprises the Internet (Fig.1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the electronic communication medium in Lewis' teaching to include the Internet for faster communication among the users.

As to claim 10, Lewis teaches the client can give another user both perform permission and grant permission (column 7 lines 36-67 and column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2).

As to claim 11, Lewis teaches the digital facility comprises an application program, and the application defines permissions grantable to clients (column 12 line 64 – column 13 line 15).

As to claim 17, Lewis teaches apparatus comprising:

- a) Means for making at least one digital facility available from a source to users via an electronic communication medium (Figs. 1-2),
- b) Means for associating with at least one of users an access permission that enables the user to access at least one of the digital facilities (column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2),
- c) Means for associating with at least one of the users a grant permission that enables the user to give to another user a permission with respect to at least one

of the digital facilities (column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2),

- d) Managing relationships between clients via the electronic communication medium with respect to the digital facility (column 8 lines 20-43 and Fig. 1).

Lewis does not specifically teach associating with at least one of the users a preference information that reflects one or more preferences of the user, and creating a user profile for each of the users based on the preference information and the permission information associated with the user, and managing relationships between users via the electronic communication medium with respect to the digital facility based on the profiles of the users. However, Dircks teaches associating with at least one of the users a preference information, and creating a user profile for at least one of the users based on the preference information and the permission information, and managing relationships between users via the electronic communication medium with respect to the digital facility based on the profile of the users (column 3 lines 20-27 and column 7 lines 40 – column 8 line 5 and column 17 lines 10-19; *specifically, the user profile corresponds to the ".sec file" in Dircks' teaching, and the permission information corresponds to the access privileges or security profile in Dircks' teaching*). It would have been obvious to one of ordinary skill in the art at the time of the invention to allow Lewis' teaching to include the features of creating a user profile based on the preference information and the permission information of the user, and managing relationship between users and the digital facility based on the user profile as taught by

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Dircks because this would allow the users to efficiently and securely access the permitted information.

Lewis modified by Dircks teaches individual granting permission to another individual as discussed above. Lewis modified by Dircks does not specifically teach the access permission or the grant permission is determined by a combination of an individual permission and a company permission. However, Lewis modified by Janis teaches a flexible system that allows the user to define different types of access control (Lewis: column 12 lines 40-67). It would have been an obvious matter of design choice to modify the teachings of Lewis and Janis to provide the step of the access permission or the grant permission is determined by a combination of an individual permission and a company permission. Since the applicant has not disclosed that this criteria solves any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the invention over similar features in the prior art since, the teachings of Lewis modified by Dircks will perform the invention as claimed by the applicant with any means, method, or product to allow the user to define the access permission or the grant permission that is determined by a combination of an individual permission and a company permission.

Claim 16 is rejected for the similar reason as claim 1.

Claims 18, 21, 23, 25 and 27 are rejected for the similar reason as claim 17.

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6. Claims 6-8 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis, U. S. Patent 6,233,576 in view of Dircks et al., U. S. Patent 6,584,568 in further view of Schneider et al., U. S. Patent 6,178,505.

As to claims 6-7, Lewis modified by Dircks teaches using the Internet for electronic communications as discussed above. Lewis modified by Dircks does not explicitly teach that the source comprises a web server, and the user comprises individuals using web browsers. However, these well-known features are specifically taught by Schneider (column 4 lines 58-67 and Fig. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the web server and web browsers as taught by Schneider in the teaching of Lewis modified by Dircks for faster communication among the users.

As to claim 8, Lewis modified by Dircks does not specifically teach the users are employees of companies. However, Schneider teaches this matter (column 4 lines 58-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the teaching of Lewis modified by Dircks to be used for employees of companies as taught by Schneider so that this secured system would be expanded its usage environment.

Claims 19-20 are rejected for the similar reasons as combining claims 6-8 and 17.

7. Claims 13-15, 24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis, U. S. Patent 6,233,576 in view of Dircks et al., U. S. Patent 6,584,568 in further view of Abadi et al., U. S. Patent 5,173,939.

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As to claims 13-14 and 26, Lewis modified by Dircks teaches granting permission to users as discussed above. Lewis modified by Dircks does not specifically teach the user permission comprises an aggregate of permissions, the aggregate permission includes fundamental permissions that have arguments of a common type. Abadi teaches this matter (Figs. 2-5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the aggregate permission and the fundamental permission in the system of Lewis modified by Dircks for better granting permissions.

As to claim 15, the method of Lewis modified by Dircks further modified by Abadi does not specifically teach the other's user's permission with respect to the digital facility is determined by a combination of individual permissions and company permission. It would have been obvious to one of ordinary skill in the art to include the feature of obtaining a permission by combining two different permissions or authentications in the method of Lewis modified by Dircks further modified by Abadi for better granting permissions to users.

As to claim 24, Lewis modified by Dircks does not specifically teach the permissions comprise cascading permissions. However, Abadi teaches this matter (column 6 line 50 – column 7 line 35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the cascading permissions in the system of Lewis modified by Janis for better granting permissions.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hayes, Jr. (U. S. Patent 6,105,063) discloses a system administrator models users of the system, or user groups, terminals and terminal groups as a hierarchy and sets desktop and user application preferences for each group and for the individual users separately.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (703)-305-0084. The examiner can normally be reached on Monday – Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

The fax phone number for the organization where this application or proceedings is assigned are as follows:

(703) 305-7687 (Official Communications; including After Final
Communications labeled "BOX AF")

(703) 746-5619 (Draft Communications)

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, 7th Floor Receptionist.

Mary Cheung
Patent Examiner
Art Unit 3621
February 26, 2004

JAMES P. TRAMMELL
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